

RICHARD A. LEVINE, ESQ., State Bar No. # 091671
JONATHAN ENDMAN ESQ. State Bar No. # 217246
SILVER, HADDEN, SILVER, WRECEIVED DEVINE
1428 Second Street, Suite 200 SUPERIOR COURT OF CALIFORNIA
P.O. Box 2161 CENTRAL JUSTICE CENTER
Santa Monica, CA 90407-2161 JUN 10 2011
(310) 393-1486 (Telephone)
(310) 395-5801 (Fax) BY: S. HERRERA-WILSON

Attorneys for Plaintiff, Costa Mesa City Employees' Association

FILED
ORANGE COUNTY SUPERIOR COURT
JUL 15 2011
ALAN CARLSON, EXECUTIVE DEPUTY CLERK
BY S. SILVA, DEPUTY

SUPERIOR COURT OF CALIFORNIA
FOR THE COUNTY OF ORANGE-CENTRAL JUSTICE CENTER

COSTA MESA CITY EMPLOYEES' ASSOCIATION,)	Case No. 30-2011 00475281
)	
)	PROPOSED PRELIMINARY
Plaintiff,)	INJUNCTION
)	[Unlimited Jurisdiction]
v.)	
CITY OF COSTA MESA, a municipal corporation; THOMAS HATCH, Chief Executive Officer for the City of Costa Mesa; and DOES I-XX, inclusive,)	Hearing Date: July 5, 2011
)	Time: 3:00 p.m.
)	Dept.: C10
)	Action Filed: May 16, 2011
Defendants.)	Trial Date: Not Set

IT IS HEREBY ORDERED that during the pendency of the above-entitled action or until further Court order, the Defendants City of Costa Mesa, a municipal corporation, Thomas Hatch, Chief Executive Officer for the City of Costa Mesa and their employees and agents are hereby enjoined and restrained from: 1.) contracting out to any entity which is not a "Local Agency" within the meaning of California Government Code Section 54980 for services currently performed by City of Costa Mesa employees represented by the Plaintiff Association, and; 2.) laying off City of Costa Mesa employees represented by the Plaintiff Association as the result of contracting out to any entity which is not a "Local Agency" within the meaning of California Government Code Section 54980 for those services currently performed by such City of Costa Mesa employees.

ORIGINAL

1 The above injunction shall issue and become effective upon Plaintiff filing an
2 undertaking in the amount of \$ 50,000.⁰⁰
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5 Date 7/15/11



6 JUDGE OF THE SUPERIOR COURT
7 TAM NOMOTO SCHUMANN
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1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 I am employed in the County of Los Angeles, State of California. I am over the age of 18
4 and not a party to the within action; my business address is 1428 Second Street, P.O. Box 2161,
5 Santa Monica, California 90407-2161.

6 On **June 10, 2011**, I served the foregoing document described as **[PROPOSED]**
7 **PRELIMINARY INJUNCTION** on the parties in this action by placing a true copy thereof
8 enclosed in a sealed envelope addressed as follows:

9 JONES & MAYER
10 Paul R. Coble, Esq.
11 Harold W. Potter, Esq.
12 3777 North Harbor Boulevard
13 Fullerton CA 92835

14 ☒ **[By Personal Service - via Magnum Courier]** I caused the above document to be
15 personally delivered to the party represented by an attorney. Delivery was made to the
16 attorney or at the attorney's office by leaving the document, in an envelope or package
17 clearly labeled to identify the attorney being served, with a receptionist or an individual in
18 charge of the office.

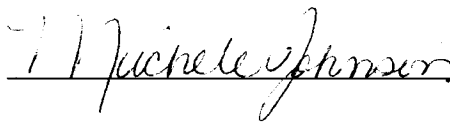
19 ☐ **[By Facsimile Transmission]** I caused the above-referenced document to be transmitted
20 to the named person(s) via facsimile transmission to the fax number(s) set forth above
21 from a fax machine at (310) 395-5801.

22 ☒ STATE I declare under penalty of perjury under the laws of the State of California
23 that the above is true and correct.

24 ☐ FEDERAL I declare that I am employed in the office of a member of the bar of this
25 court at whose direction the service was made.

26 Executed on June 10, 2011, at Santa Monica, California.

27 MICHELE RENE JOHNSON

28 

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER**

MINUTE ORDER

DATE: 07/15/2011

TIME: 03:00:00 PM

DEPT: C10

JUDICIAL OFFICER PRESIDING: Tam Nomoto Schumann

CLERK: Lenora Silva

REPORTER/ERM:

BAILIFF/COURT ATTENDANT:

CASE NO: **30-2011-00475281-CU-MC-CJC** CASE INIT.DATE: 05/16/2011

CASE TITLE: **Costa Mesa City Employees' Association vs. City of Costa Mesa**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Misc Complaints - Other

EVENT ID/DOCUMENT ID: 71276544

EVENT TYPE: Chambers Work

APPEARANCES

There are no appearances by any party.

The following are read and considered:

Plaintiff's Proposed Preliminary Injunction (Received on 6/10/11)

Defendants' Objections to Plaintiff's Proposed Preliminary Injunction (Filed 7/8/11)

Defendants' Proposed Preliminary Injunction (Received 7/8/11)

Plaintiff's Objections to Defendants' Proposed Preliminary Injunction (Filed 7/11/11 and duplicate E-Filing of 7/11/11)

Plaintiff's Opposition to Defendants' Objections to Plaintiff's Proposed Preliminary Injunction (Filed 7/11/11 and duplicate E-Filing of 7/11/11)

Defendants' Amended Objections to Plaintiff's Proposed Preliminary Injunction (Filed 7/11/11)

Plaintiff's Opposition to Defendants' Amended Objections to Plaintiff's Proposed Preliminary Injunction (Filed 7/12/11 and duplicate E-Filing of 7/11/11)

Pursuant to Court's direction, clerk notified all counsel. Counsel were ordered to provide additional briefs solely for the purpose of addressing the undertaking. Additional briefs are due by 7/14/11, 12:00 p.m. directly in this department.

The following are read and considered:

Plaintiff's Memorandum of Points and Authorities and Declaration of Helen Nenadal (Filed 7/14/11)

Defendants' Memorandum of Points and Authorities re Undertaking and Declaration of Harold W. Potter; Declaration of Bobby Young (Filed 7/14/11)

Court having read and considered all documents, now makes the following orders:

Defendants' Objections to Plaintiff's Proposed Preliminary Injunction filed 7/8/11 and Defendants' Amended Objections to Plaintiff's Proposed Preliminary Injunction filed 7/11/11 are overruled.

Injunction shall issue and become effective upon plaintiff filing an undertaking in the amount of \$50,000.00.

Order signed and filed this date. A conformed copy of the order is mailed to counsel.

Clerk to give notice.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

Central Justice Center
700 W. Civic Center DRIVE
Santa Ana, CA 92702

SHORT TITLE: Costa Mesa City Employees' Association vs. City of Costa Mesa

CLERK'S CERTIFICATE OF SERVICE BY MAIL

CASE NUMBER:
30-2011-00475281-CU-MC-CJC

I certify that I am not a party to this cause. I certify that a true copy of the Minute Order was mailed following standard court practices in a sealed envelope with postage fully prepaid as indicated below.

The mailing and this certification occurred at Santa Ana, California on 07/18/2011

Clerk of the Court, by: Laura Silva, Deputy

JONES & MAYER
3777 N HARBOR BOULEVARD
FULLERTON, CA 92835

SILVER, HADDEN, SILVER, WEXLER & LEVINE
1428 SECOND STREET # 200
SANTA MONICA, CA 90407-2161

CLERK'S CERTIFICATE OF SERVICE BY MAIL